

EXHIBIT 1



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re: Methyl Tertiary Butyl Ether ("MtBE")
Products Liability Litigation

MDL No. 1358
Master File C.A. No.
1:00-1898 (SAS)

This document relates to the following cases:

City of New York v. Amerada Hess Corp., et al.
04 Civ. 3417

EXPERT SITE SPECIFIC REBUTTAL REPORT OF MARCEL MOREAU

Marcel Moreau Associates
73 Bell Street
Portland, ME 04103

Marcel Moreau

Signature

March 23, 2009

Date

listed in Table 4 of Dr. Terry's report had releases of more than 4,000 gallons. In addition, the volumes of contaminated soil removed from seven other facilities are indicative of substantial releases. While it is not possible to determine the exact volume of a release based on an amount of contaminated soil removed, it is more likely than not that substantial releases occurred in order to contaminate the hundreds of tons of soil that were removed from these facilities.

Errata

In reviewing my February 6 report, I noted the following two errors in the site summaries:

- The inventory data indicating the 4,300 gallon release from 84-04 Parsons Boulevard that were provided in the report were incorrect. The correct data and associated graphs are included in this report in Appendix B.
- The inventory graph for 165-25 Liberty Avenue for the "G" product that indicated a 400 gallon unaccounted for loss from June to October of 2003 was inadvertently omitted from the report. The missing graph is also included in this report in Appendix B.

I also noted several errors in the Summary of Release table included as Appendix C. These errors included the following:

- The address for 138-50 Hillside Avenue was erroneously listed as 138-30 Hillside Avenue.
- The time period for the remediation activity for 162-35 North Conduit Avenue when more than 4,000 gallons of product were recovered was erroneously listed as 1991/1992. The remediation activity actually occurred in 2001/2002.

Additional errors involving the volume of product released column in the Summary of Release table of my February 6 report are listed in Table 1. A copy of the corrected Summary of Release table is included as Appendix C of this report.

As a result of the changes made to the Summary of Release table, the statistics concerning the number of releases with a known volume (Table 3 of my February 6 report) must also be modified. The changes are indicated in Table 2 of this report. The number of releases used to calculate the percentages in this table was also changed from 123 to 118.